air Political Practices Commission

P.O. BOX 807 · SACRAMENTO, 95804 · · · 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • (916) 322-5662

322-5660

Executive/Legal • • 322-5901

Enforcement 322-6441

February 15, 1985

Michael Paparian, Director Sierra Club Legislative Office 1228 N Street, Ste. 31 Sacramento, CA 95814

> Re: Our File No. A-84-305

Dear Mr. Paparian:

I apologize for the delay in responding to your letter of December 7, 1984, requesting advice with respect to the lobbying disclosure provisions of the Political Reform Act (Government Code Sections 81000-91014).

As outlined in your letter, the Sierra Club plans to consolidate its individual lobbyist checking accounts into one account which will be used by all of the Club's lobbyists. purpose of the account is to reimburse and make advances to the Club's lobbyists for expenses, and for general overhead and operating expenses incurred by the Sacramento legislative office. Initially, the national Sierra Club office in San Francisco will advance funds to the account and will reimburse the account when it receives documentation of payments made.

During our telephone conversation of January 30, 1985, I recommended that payments made from the account be reported in the following manner: All payments will be reported as if they were made directly by the lobbyist employer. That is, each lobbyist will report the amount he or she receives for reimbursements and advances in the appropriate column of Part II. (Payments Received in Connection with Lobbying) of the Lobbyist Report (Form 620). The same information will be reported in the appropriate column of Part II.A. (Individual Lobbyists Employed) of the Lobbyist Employer Report (Form 650). In addition, all payments made from the account for overhead and operating costs for the Sacramento legislative office will be reported as "Other Payments" in Part II.D.2. of the Lobbyist Employer Report. lobbyists are not required to report these payments on their Lobbyist Reports.

Michael Paparian February 15, 1985 Page 2

I hope this information is helpful. Please let me know if you have any further questions.

Sincerely,

Carla Wardlow

Political Reform Consultant

Carla Wardlow



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SIERRA CLUB

LEGISLATIVE OFFICE

1228 N Street, Suite 31 Sacramento, California 95814 (916) 444-6906

by Ansel Adams

December 7, 1984

Carla Wardlow
Fair Political Practices Commission
1100 K St.
Sacramento, CA 95814

Dear Ms. Wardlow:

Thank you again for your advice regarding changing our checking account and accounting systems in our office. So that there is no confusion about the legality of our new accounting practices as they relate to the Political Reform Act, I would appreciate it if you or another representative of the FPPC would indicate in writing whether my understanding as outlined below is correct.

As I understand the requirements, it is acceptable for us to do the following:

- 1. Close the existing checking accounts in the names of the individual lobbyists in our office which are used to keep a record of expenses. Replace the existing accounts with a single account for our office in Sacramento. The single account would be in the name "Sierra Club."
- 2. Deposit an "advance" into our Sacramento account from our national office in San Francisco (the "lobbyist employer").
- 3. Report the "advance" as an "advance" on the lobbying report (form 620) of the director of our Sacramento Office.
- 4. Allow any of the lobbyists or other employees in the office to sign checks from the account.
- 5. Pay expenses incurred by our office (phone, copying, etc.) from the account.

- 6. Reimburse the lobbyists in the office for personally incurred expenses from the account.
- 7. Periodically request our national office in San Francisco to make out a check to Sierra Club to be deposited into our account in Sacramento. The amount of the check would be equal to all expenses and reimbursements paid for from the account. The request would be substantiated with appropriate documentation.
- 8. With the exception of the office director, the lobbyists will report on their forms 620 the amounts they are reimbursed from the office account plus any additional amounts paid for from personal funds which must be reported pursuant to the Political Reform Act. The office director will report the balance of the funds expended the account on his form 620 plus any of his personal expenses which must be reported.
- 9. For the purposes of complying with the political reform act, the the monies described in points 7 and 8 above can be reported on form 620 as either "reimbursements" (column b on page 1) or "advances" (column c on page 1).
- 10. The lobbyists will inform the Sierra Club national office (the lobbyist employer) of the amounts described in point 8 above which are related to the office account. These figures will be used by the national office in filling out their form 650.

I appreciate your attention to this matter.

Sincerely,

Michael Paparian

Director

tate of California ir Political Practices Commission P.O. BOX 807 · SACRAMENTO, 95804 · · · 1100 K STREET BUILDING, SACRAMENTO, 95814

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December 14, 1984

Michael Paparian Director Sierra Club 1228 N Street, Suite 31 Sacramento, CA 95814

Re: A-84-305

Dear Mr. Paparian:

Your letter requesting advice under the Political Reform Act has been referred to Diane Maura Fishburn, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

General Counsel

BAM:plh